

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
8002 Naygall Road, 2000 ft. E. of Glenmill Road
11th Election District
5th Councilmanic District
Jane Romaine Edwards
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-85-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 1801.2.C.1 (VB3.b. CNDP) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building separation of 22 ft. and 19 ft. in lieu of the required 30 ft. and 25 ft. respectively, and to amend the First Approved Final Development Plan of Glen Mill Estates, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented. Specifically the Petitioner seeks to legitimize the location of her dwelling as it relates to the adjacent properties on either side.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

1801.2.C.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of Oct. 1991 that the Petition for a Zoning Variance from Section 1801.2.C.1 (VB3.b. CNDP) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building separation of 22 ft. and 19 ft. in lieu of the required 30 ft. and 25 ft. respectively, and to amend the First Approved Final Development Plan of Glen Mill Estates, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 10/27/91
By [Signature]

LES/mm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-4454

October 4, 1991

Mrs. Jane Romaine Edwards
9002 Naygall Road
Baltimore, Maryland 21234

RE: Petition for Residential Zoning Variance
Case No. 92-85-A

Dear Ms. Edwards:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3991.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.
cc: Peoples Counsel

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-85-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 9002 Naygall Rd
Baltimore, Md 21234
(Address)

That based upon personal knowledge, the following are the facts upon which I/we have the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

Let was purchased with the understanding that the type permit had been granted. After living in completed house for 6 mos. was informed that a variance was needed. This was a complete surprise and was under the impression that this had been taken care of.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

AFFIRM (Handwritten Signature)

AFFIRM (Handwritten Signature)

AFFIRM (Printed Name)

AFFIRM (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of August, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jane Romaine Edwards

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8.9.91

DATE

My Commission Expires: 1-1-95

ZONING DESCRIPTION

Beginning at a point on the south side of Naygall Road which is 50' of right-of-way wide at the distance of 2000 ft. east of the centerline of the nearest improved intersecting street Glenmill Road which is 50' of right-of-way wide. Being Lot #18 as recorded in Baltimore County Plat Book #55, Folio 118, containing .44 acres. Also known as 9002 Naygall Road and located in the 11th Election District.

92-85-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____ Date of Posting: _____
Posted for: _____
Petitioner: _____
Location of property: _____
Location of Signs: _____
Remarks: _____
Posted by: _____ Signature _____ Date of return: _____
Number of Signs: _____

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Receipt

Date

Account: R 0016150
Number

DATE OF RECEIPT: _____

DATE OF RECEIPT: _____

DATE OF RECEIPT: _____

Please Make Check or Money Order payable to Baltimore County \$35.00
BA 001154A08-19-91

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1801.2C.1 (VB3.b. CNDP) to permit building separation of 22 feet and 19 feet in lieu of the required 30 feet and 25 feet respectively.

And to amend the last approved F.D.P. of Glen Mill Estates.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (Indicate hardship or practical difficulty)

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

9002 Naygall Rd 524-9068
Baltimore Md 21234

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

JANE ROMAINE EDWARDS

Name

9002 Naygall Rd Baltimore Md 21234

Address

ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be posted on the property on or before the _____ day of _____, 19____.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock, _____.

ORDER RECEIVED FOR FILING

Date

By

ZONING COMMISSIONER OF BALTIMORE COUNTY

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

September 9, 1991

887-4454

Jane Romaine Edwards
9002 Naygall Road
Baltimore, Maryland 21234

Re: CASE NUMBER: 92-85-A

LOCATION: 800 Naygall Road, 2000' E of Glenmill Road
9002 Naygall Road

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 15, 1991. The closing date is September 30, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

S. G. Stephens
(301) 887-3391

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 3, 1991

Ms. Jane Romaine Edwards
9002 Naygall Road
Baltimore, MD 21234

RE: Item No. 81, Case No. 92-85-A
Petitioner: Jane Romaine Edwards
Petition for Residential Variance

Dear Ms. Edwards:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 31st day of August, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Jane Romaine Edwards
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 13, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: HELBING Property, Item No. 53
Smith Property, Item No. 64
McClure Property, Item No. 65
Boehnlein Property, Item No. 66
Marx Property, Item No. 68
Bule Property, Item No. 69
Pulaski Property, Item No. 70
Wollschlaeger Property, Item No. 72
Bray Property, Item No. 74
Graves Property, Item No. 75
Sylvia Property, Item No. 76
Long Property, Item No. 78
Pearl Property, Item No. 79
Casey Property, Item No. 80
Edwards Property, Item No. 81
Tyson Property, Item No. 85
Skidmore Property, Item No. 88
Williams Property, Item No. 89
Restivo Property, Item No. 90
Didler Property, Item No. 97
Wesolowski Property, Item No. 102
Griffin Property, Item No. 103
Burgwin Property, Item No. 104
Ghent Property, Item No. 110
Lingg Property, Item No. 111
Bates Property, Item No. 112
Bond Property, Item No. 115

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn

ITEM47/TXTRO2

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

SEPTEMBER 16, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JANE ROMAINE EDWARDS
Location: #9002 NAYGALL ROAD
Item No.: 81 Zoning Agenda: SEPTEMBER 10, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *James E. Dyer* Noted and Approved *Pat Keller*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 24, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for September 10, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 81, 102, 103, 104, 110, 111, 112, 114, and 115. Also, we have no comments for Case No. R-91-119.

For Item 106, comments will be made at the County Review Group meeting.

For Item 108, the County Review Group comments remain in effect.

For Item 109, comments will be reserved until the County Review Group meeting.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

92-85-A 9-30

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: October 9, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: September 10, 1991

There are no comments for item numbers 81, 102, 103, 104, 109, 110, 111, 112 and 115.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

46/91 1195-72 D6
4 September 1991

A considerable hardship would be a large outlay of money in order to affect changes in size reduction. Building permit was issued to builder of dwelling who had the wrong height on permit. This was done without my knowledge, and I was under the impression all permit had been granted in accordance with regulations.

If this variance is not granted it could also result in condemnation and/or removal of building. This would in effect make me a poorer citizen without a home. I have invested all I can afford in the building of this house.

I hope you are aware that this petition is to be handled as a representative variance.

Jane Romaine Edwards
9002 Naygall Rd
Baltimore, MD 21234

Petitioner's Ex No. 1

92-85-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

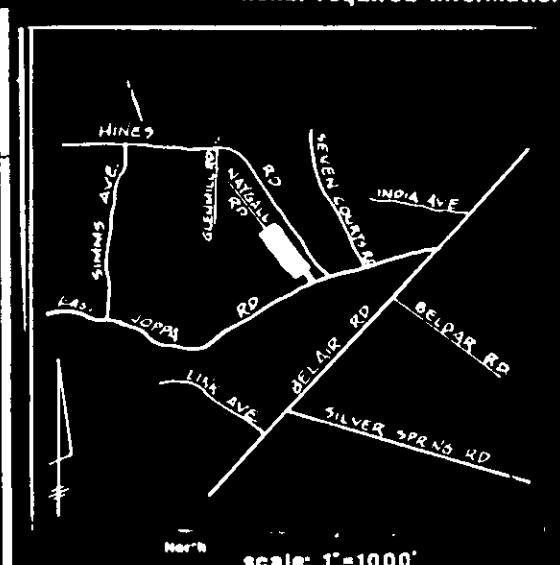
PROPERTY ADDRESS: 9002 Naygall Rd

Subdivision name: Glen Mill Estate

plat book # 22 folio 118 lot 12 sections

OWNER: Jane A. Edwards

see pages 5 & 6 of the CHECKLIST for additional required information



LOCATION INFORMATION

Councilmanic District: 5th
Election District: 11th
1"=200' scale map:
Zoning: DR, 3.5
Lot size: .44 acreage 19,390 square feet
SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: 1-11-74

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

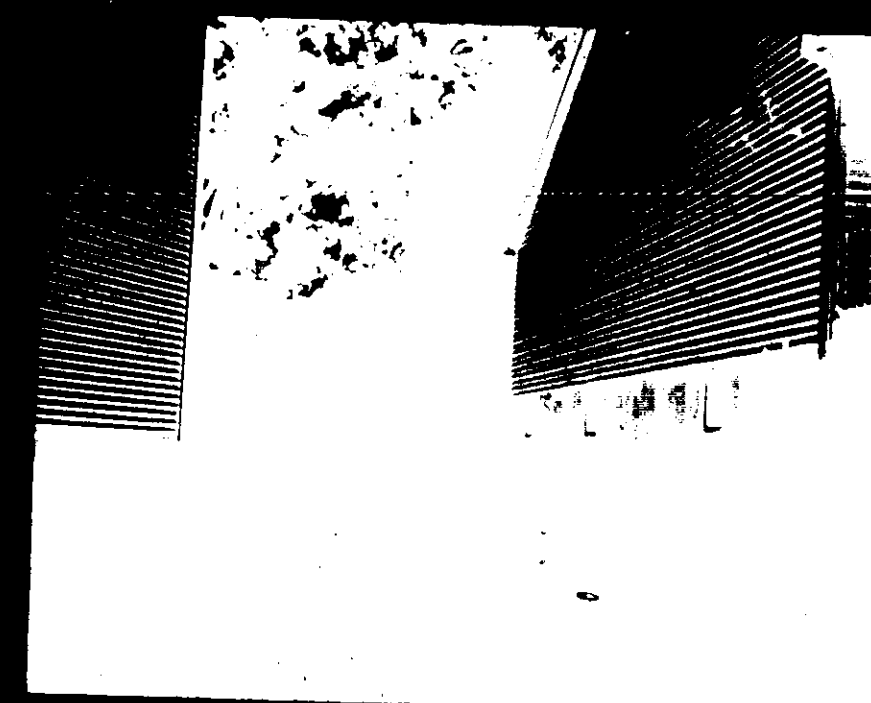
DAG 81

92-85-A

PETITIONER'S EXHIBIT #



Picture taken from panhandle road between Lot 18 and Lot 19



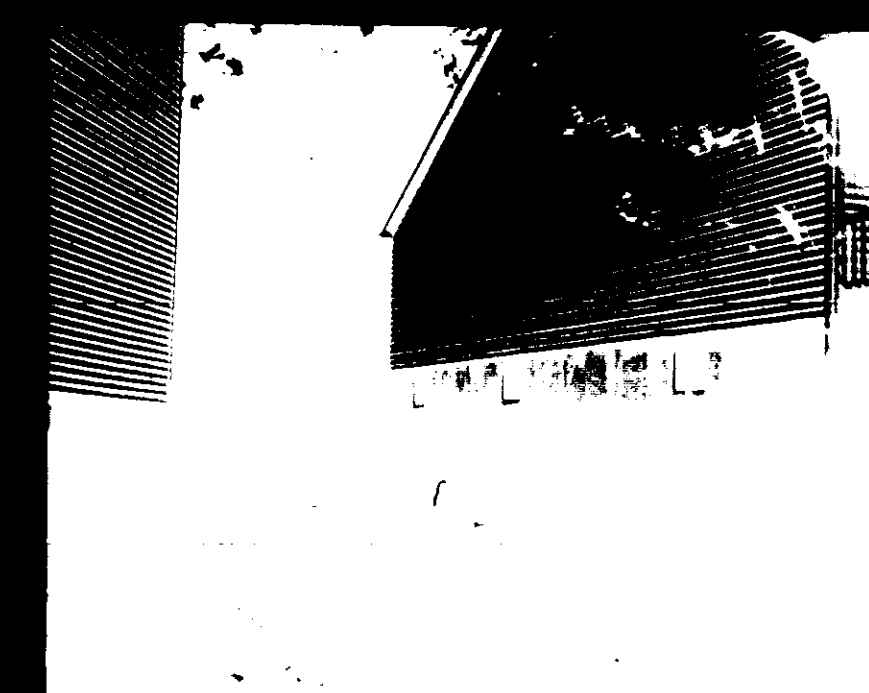
From Rd Between Lot 18-Lot 17

92-85-A

PETITIONER'S EXHIBIT #



Front View - Lot 18



From Road between Lot 18 and Lot 17



View Between Lot 18-Lot 19

